

Chapter Six

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Agency Responsiveness to the Community

1. **Discuss how effective the State has been in meeting the requirement to consult and coordinate with external community stakeholders in the development of the State's Child and Family Services Plan (CFSP). In responding, discuss how the concerns of stakeholders are addressed in the agency's planning and operations and their involvement in evaluating and reporting progress on the agency's goals.**

I. Overview

CA's Strategic Plan is the core of the organization's continuous quality improvement efforts, as it clearly outlines CA's broad strategies to meet goals and objectives over a seven year period. The CA Strategic Plan serves as a centerpiece of the five year federal Comprehensive Child and Family Services Plan (CFSP), and as the biennial budget planning document required by DSHS and the state's Office of Financial Management

Consultation and coordination with external community stakeholders is part of CA's day to day operations through case conferences, contractor contacts and informational mailings conducted by various divisions. CA also has a number of ongoing formal structures for consulting and coordinating with community stakeholders. Central to these structures is the strategic planning process.

Strategic Planning Process

In 2000, CA developed a single, statewide strategic plan to guide decision-making and priority-setting over the next seven years. This plan incorporates state and federal requirements, and the priorities identified by policy makers, stakeholders, foster parents, children in care, management and employees. CA's Strategic Plan is the result of intensive efforts to solicit, and be guided by, input from customers, stakeholders, and employees. The plan serves as a fundamental piece of the CFSP.

The following planning cycle overview summarizes the extensive seven year planning cycle:

During the biennial strategic planning process, CA solicits broad input from customers, foster parents, Tribal government representatives, stakeholders and employees. Stakeholders are reached through ongoing consultative groups. These include the:

- Statewide Children, Youth, and Family Services Advisory Committee,

- Indian Policy Advisory Committee and direct mailing to Tribal government representatives,
- Foster Parent Advisory Committee, and direct mailing to foster parents,
- Foster Care Improvement Plan Team,
- Statewide Child Fatality Committee,
- Independent Living Service Providers and focus groups with youth,
- Regional Advisory Committees, and
- Local Office Continuous Quality Improvement Standing Teams.

Through focus groups, questionnaires, surveys, and electronic medium, stakeholders are involved in defining the mission and vision for the agency, setting priorities and goals, and determining the strategies to reach the goals. Stakeholders are provided with current performance data and status reports. In addition, DSHS conducts public stakeholder and provider feedback forums to solicit comments about priorities for all human services and reports the results to each administration.

Strategic planning prioritizes objectives and establishes measurable targets which are incorporated into written performance agreements with key management staff. DSHS makes public an Accountability Scorecard that highlights performance expectations from each administration, including CA. Performance data is tracked and reported quarterly. The annual *Children's Administration Performance Report* describes to employees, the Governor's office, legislators and public and community partners how well CA is doing in reaching important improvement goals. This report is mailed to stakeholders and is posted on the CA web site.

Formal Structures for Consulting and Coordinating

All of the following processes contribute to community coordination and consultation with CA's external community.

- Regional Advisory Committees,
- Court Improvement Grant Steering Committee,
- Families for Kids Partnership Oversight Committee, and the
- Regional Reasonable Efforts Symposia.
- Local Office Continuous Quality Improvement Standing Teams,

A growing number of field offices are forming Local Office Continuous Quality Improvement Standing Teams, which include staff, stakeholders, clients and community partners in local strategic planning. (These are described more fully in Chapter Three: Quality Assurance). As these offices form their CQI teams they give stakeholders an additional opportunity to provide input and feedback to the local planning process.

Recent Results from the Strategic Planning process

Every two years CA conducts an intensive review of the agency's Strategic Plan. This includes reviewing short term plans, revising the long term plan, and narrative, and soliciting broad input from stakeholders. (Refer to information below on input obtained during 2002). In addition, on an annual basis, CA conducts a planning review and updates the status of the strategic plan.

Planning Input from Stakeholders

Two standing advisory groups meet regularly and offer unique statewide stakeholder perspectives: The Children, Youth and Family Services Advisory Committee, and the Indian Policy Advisory Committee. In addition, a management group of stakeholders involved in foster care issues guides the Foster Care Improvement Plan. During the 2002 planning process, CA surveyed these stakeholders and conducted focus groups. In addition the Indian Policy Advisory Committee requested that Tribal government representatives be surveyed individually and provided a mailing list.

Issues important to CA stakeholders include:

- Increase recruitment and retention of quality placement resources;
- Provide permanent and stable placements for children;
- Improve child well-being;
- Increase meaningful partnerships within DSHS and with the community; and
- Improve child safety

Additional input was sought when Secretary Braddock hosted three stakeholder meetings across the state during May 2002. Given the magnitude of the state budget shortfall and shifts in social policy taking place across the nation, Secretary Braddock felt it was very important to invite community partners and stakeholders to participate in the discussions of budget challenges and strategic planning for DSHS. Participants were invited to assist DSHS in developing a strategic plan and biennial budget for 2003-2005. Stakeholders and partners who were not able to attend the stakeholder meetings were able to go online to view the "Welcome to Strategic Planning" PowerPoint presentation and to send their feedback via a web site.

The feedback received indicated that the majority of DSHS partners and stakeholders considered children's services as a top priority (Health Care and Prevention and Education were the next two priorities). Included in the children's services category are child protection, family preservation, foster care, parenting skills and childcare.

The process of stakeholder meetings occurs with each plan update, every two years.

Planning Input from Youth in Care

In April and May, 2002 three focus groups were held with youth between the ages of 15 and 19 years in out-of-home care in Olympia, Tacoma and Lacey. Two of the sessions were with youth in independent living services programs. These sessions included eighteen adolescents -- ten boys and eight girls. The third focus group was with three girls residing in a group home. CA staff asked for their thoughts on what should be done to improve services and the foster care system. They talked about the importance of feeling like they were part of the family with which they were placed, and commonly not experiencing that. Many felt that they were in placement because they were bad or did something wrong. One of the boys said they needed more freedom and the opportunity to learn skills leading up to turning age eighteen. He said it was like “keeping a bird in a cage that is too small for the bird to learn to fly, and then opening the cage door and dumping the bird out the high window of a building, and expecting the bird to fly.”

Issues important to children in foster care include:

- Loosen requirements for background checks to allow children and youth visit friends’ homes;
- Support educational achievement and reduce the number of times youth must change schools;
- Give children choices regarding church attendance, school programs, employment and daily living activities;
- Maintain family connections;
- Increase funding for clothing and purchase of incidental items to accommodate special events (such as proms) and that acknowledge the physical changes that are part of normal adolescent development;
- Improve preparation for independent living and career planning designed to increase youths’ ability to transition to adult life; and
- Ensure planning and input from foster parents and relative caregivers.

Throughout the state, Youth Advisory Boards are being established as a component of the contracted Chafee Independent Living Program.

In the Kent office, Independent Living Support Meetings are held. These meetings are very similar to the Family Group Conference model, except that, the youth take the lead in planning the meeting and implementing their plan to transition from foster care.

On July 31, 2003, youth presented and facilitated the “*Launching Futures Together: Positive*

Youth Development Conference.” Youth will teach their adult “helpers” how to establish education improvement/stability plans and transition plans and will participate in discussions about developing permanent connections and families for older youth in foster care.

Planning Input from Foster Parents

The Foster Parent Advisory Committee requested that CA survey a sample of foster parents. Each region identified a number of foster parents who participated by completing surveys. Forty surveys were returned.

Issues important to foster parents include:

- Provide permanent and stable placements for children;
- Increase availability of quality services;
- Improve child well-being;
- Increase recruitment and retention of quality placement resources; and
- Provide more child abuse and neglect prevention services for families

Planning Input from Management

Four of the six regional management teams included their regional advisory board members and stakeholders in identifying issues and strategies for the plan. By the end of 2003, every region will have formed their advisory boards. One local office quality improvement standing team, which includes stakeholders, also participated. All four Divisions (Children and Family Services, Program and Policy, Management Services and Licensed Resources) provided input from their planning processes, as did the Deputy Assistant Secretary.

Issues important to management teams include:

- Increase recruitment and retention of quality placement resources;
- Improve access to mental health services for children;
- Improve access to substance abuse treatment both for youth and parents;
- Achieve consistency in child welfare practice;
- Improve placement stability; and
- Provide necessary funding and resources.

Planning Input from Employees

All employees were invited to participate by completing an on-line survey. The respondents represented a cross section of employees, case carrying and non-case carrying social workers from all program areas, home support specialists, office support positions, program managers, information technology staff, supervisors, area administrators, regional administrators and managers, office chiefs and directors. A total of 253 employees responded to the survey.

Issues important to employees include:

- Increase the number of quality staff;
- Increase recruitment and retention of quality placement resources;
- Decrease workload;
- Increase meaningful partnerships within DSHS and with the community; and
- Improve leadership at all levels.

Input concerning Vision, Mission and Values Statements

During this planning cycle, CA reviewed the Mission, Vision and Values (Guiding Principles) statements. Stakeholders and employees were asked to rate on a one to five scale their agreement with the statements that the mission adequately represents the purpose of the agency, addresses the problems or needs that the administration was created to address and that their roles are represented in the mission statement. Both groups expressed high levels of agreement, with some suggestions for improvement. Comments indicated the need for a shorter, easier to remember mission. In response, CA held a contest open to all employees to compose a “slogan” that represents the elements of the mission statement. The winner received recognition in the form of \$100 for submitting the following slogan: “Protecting children, supporting families, providing quality care with our partners.” The feedback received indicated that the majority of DSHS partners and stakeholders considered children’s services as a top priority. Included in this category are child protection, family preservation, foster care, parenting skills and childcare.

Employees did, however, take exception to the part of the vision that sees the organization as innovative and results driven; employees see this as not yet accomplished. While making many suggestions for improvement, stakeholders and employees alike rated highly the statement that the guiding principles adequately reflect the values to which CA should be committed.

The information received from these groups was considered in the strategic planning process, and goals and objectives were developed where appropriate.

II. Initiatives

Local CQI Standing Teams

The development of CQI Standing Teams in field offices across the state provides mechanisms for stakeholders, clients, staff, external stakeholders and community partners to influence local service delivery, planning and practice. Local improvement plans developed by these teams have a growing impact on the statewide strategic planning process. As this practice matures, local stakeholders throughout the state will have increased influence in CA’s strategic planning process. (Refer to Chapter Three: Quality Assurance System for additional information on this issue).

III. Lessons Learned During the Statewide Assessment

Strengths

- CA has involved stakeholders in strategic planning (e.g. Child, Youth and Family Advisory Committee, Special Committees, workgroups, foster parent surveys, Tribal government surveys, employee surveys, foster child focus groups, staffings, Foster Care Improvement Plan, Standing CQI Teams).
- The Strategic Plan is an excellent document that drives the agency's planning. The Strategic Plan has been made available on the CA web site and is distributed to stakeholders as part of the federally required Child and Family Service Plan. Posters with goals will soon be distributed to offices.

Challenges

- There are numerous stakeholders lists, depending upon the nature of the information that needs to be distributed. There is no single list of all parties of interest that need to receive general information about the actions taken by the agency.
- CA needs to continue to find more effective and innovative ways to get input from external partners and stakeholders on a regular basis.
- CA has numerous ways to involve stakeholders in agency planning. There have been times when CA has moved quickly to implement a new system (e.g. central intake), and the communication with and to stakeholders was limited, resulting in limited results and lack of input.

Promising Practices

CA is on track to establish Local Office Continuous Quality Improvement Standing Teams in all 44 field offices by 2006. As described above, these local teams are a vital mechanism for engaging stakeholders, customers and employees in local improvement planning. As this effort expands, the results are expected to have increasing influence on the agency-wide strategic planning process.

All regions are expected to develop Regional Advisory Committees by late Fall, 2003. Regional Advisory Committees consist of staff and stakeholders at the regional level. They provide input and feedback to the regions about service delivery, planning, and practice issues.

2. Discuss how effective the State has been in meeting the State Plan requirement to coordinate agency services with the services and benefits of other public and private agencies serving the same general populations of children and families.

I. Overview

DSHS was created in the early 1970's to bring together a wide array of human services agencies under one umbrella so that clients could receive coordinated, comprehensive services. In the ensuing 30 years, there has been significant progress in coordinating services, but much remains to be done. Funding streams, regulatory requirements, and the weight of tradition still impede full coordination of services across state agencies. At the local level, the degree of coordination with stakeholders, contracted service providers and community organizations varies widely.

Over the past two years DSHS has been placing a special emphasis on improving the integration of our services both among our internal divisions and with our many community partners. Such integration is essential for a number of reasons.

DSHS Secretary Dennis Braddock has made improving service integration and responsiveness to communities a top priority for all of the eight DSHS Administrations.

Under the mantle of "Working Together: Strengthening Families, Neighborhoods and Communities," DSHS has a number of comprehensive integration projects occurring throughout the department. Some of these efforts are primarily internally focused, some are focused on business and process systems, and some are joining with community partnerships with clearly defined objectives to better serve clients. These projects include, but are not limited to: WorkFirst, No Wrong Door, The Consolidated Services Initiative, Child Protection Teams, A-Teams, the White Center/Boulevard Park Initiative, Cross-collaboration projects, Developmental Disabilities collaborative partnerships, the Medicaid Integration Project and the Regional Business Systems Initiative.

Secretary Braddock has also emphasized the importance of reaching out to faith-based organizations, community and neighborhood groups, and citizens to strengthen their role as partners with DSHS in the work of taking care of our state's vulnerable children and adults.

In September 2002, Secretary Braddock issued a document entitled *Facing the Future*, in which he asks department staff and communities to think about how all human service providers, formal and voluntary, can address the needs of citizens of the state. Secretary Braddock asked that the department not be seen as the only source for human services, but to think of the entire community as responsible for supporting families. With shrinking revenues and limited programs, *Facing the Future* also challenges the department to more seamlessly provide or integrate the services it administers with those provided in the communities in which staff work and live. Features of the models will include a single point of entry for services, a unified case plan, emphasis on prevention services and possible co-location of providers and community partners.

Further coordination within state government occurs through interagency agreements between DSHS, Tribes and other state agencies (e.g. the Office of the Superintendent of Public Instruction, Department of Community Development, etc.). (Refer to Question Four of this section for additional information on Tribal agreements). CA also has interagency agreements and protocols in place with law enforcement agencies, that address how the signatory agencies will share information, and establish clear roles and responsibilities for dealing with situations in the community that require a joint response.

Interagency agreements create partnerships that bridge organizational missions and funding streams to improve services to children and families.

CA coordinates services with a wide range of public and private organizations serving children and families through mechanisms such as the following:

Sharing Information and Networking

Throughout the year, CA convenes partners in major information sharing events such as the:

- CPS Symposium,
- Children's Justice Conference,
- Reasonable Efforts Symposia,
- Washington Permanency Summit, and the
- Statewide Foster Parent Conference.

For example, the Children's Justice Conference is one of the largest in the United States related to issues of child maltreatment. This is an interdisciplinary conference with participants from diverse groups such as the Casey Family Program, the U.S. Department of Justice Office for Victims of Crime, the American Professional Society on the Abuse of Children, Washington Chapter, the Washington State Administrative Office of the Courts, the King County Sexual Assault Resource Center, the Washington Council Prevention of Child Abuse and Neglect, the Children's Hospital and Regional Medical Center, and the Washington State Chafee Independent Living Program.

Oversight and Advisory Committees

Coordination is also enhanced through a comprehensive set of oversight and advisory groups such as the:

- Children, Youth and Family Services Advisory Committee,
- Regional Advisory Committees,
- Citizen Review Panels,

- Foster Parent Advisory Committee, and the
- Indian Policy Advisory Committee.

For example, the Children, Youth and Family Services Advisory Committee is an oversight committee composed of representatives of child advocacy groups, the court system, the state Legislature, public and private organizations serving children and families, and CA leadership. The committee's goal is to increase the well being of children and families of Washington by articulating the needs of children, youth and families and by advising CA on policies and actions necessary to address those needs.

Improvement Initiatives and Interdisciplinary Workgroups

Service coordination and improvement are advanced through joint improvement initiatives and workgroups with partners in child welfare. Examples of CA partners include:

- Casey Family Programs,
- Families for Kids Partnership,
- Foster Care Improvement Plan, and
- Select Committee on Adolescents in Need of Long Term Placement.

For example, the Secretary of DSHS convened the Select Committee on Adolescents in Need of Long Term Placement in 1998. This work group is composed of representatives from the DSHS Mental Health Division, the Division of Alcohol and Substance Abuse, state legislators, representatives from DCFS, Casey Family Programs and many other private and public partners. The committee's task was to help figure out how to better serve some of the state's youth with complex needs. The committee was specifically asked to examine the continuum of care and the sufficiency of services and housing options for "hard to place" youth.

Contracting for Services

CA coordinates with local community partners to provide services to children and families. Much of this coordination takes the form of contracts with various providers to provide services. Among the services CA contracts for on a regular basis are:

- Home Based Services,
- Family Preservation Services, and Intensive Family Preservation Services,
- Group Care Services, and
- Medical Consultation.

For example Home Based Services contracts allow CA social workers to access supplemental services for families who are at risk of child placement, or in need of reunification from foster care. Home Based Services are individualized to meet each family's needs. Services may include parent aides and counseling, as well as supports for basic needs such as clothing, shelter, employment or transportation. Home Based Services are provided through contracts with serv-

ice provider partners in communities throughout the state. (Refer to Chapter Five: Service Array and Development for additional information).

II. Initiatives

No Wrong Door

No Wrong Door projects have been initiated by several DSHS administrations to push towards greater integration of services both among DSHS agencies and with community partners. These projects are described as “startups” – not pilot projects – because they are not regarded as one-time experiments, but as initial efforts that will result in changing agency practices statewide.

The No Wrong Door initiative has produced a single form that allows a variety of programs to share information about clients. Work is also underway to develop common intake and assessment instruments, and computer applications that streamline case management, eligibility determination, and other cross-program functions.

CA is engaged in two *No Wrong Door* projects, in Spokane and Yakima. These projects bring together the resources of CA, community partners, and the Juvenile Rehabilitation Administration (JRA) to better serve youth who do not have families to return to when they are released from JRA institutions. Staff from JRA and CA combine forces to do collaborative pre-release planning for youth to ensure timely and appropriate placements, wraparound services to address mental health, chemical dependency, and educational needs, and to provide other services that foster success and reduce recidivism.

There is also a "No Wrong Door" web site (<http://www.dshs.wa.gov/basicneeds/>) that provides users with access to information about a variety of resources and service eligibility requirements, including abuse and neglect, adoption, cash support, child support, disabilities, drug and/or alcohol dependency, food assistance, homelessness, medical care, juvenile rehabilitation and mental health.

Families and Communities Together

The Families and Communities Together initiative focuses on the integration of DSHS and community services to provide improved outcomes for children and families. The initiative is to join with families and the communities in which they live to collaborate in providing a continuum of coordinated services that supports safer, healthier and more self-sufficient families.

Some the elements of integration include:

- Compatible policies,
- Co-location of services in the community,
- Common intake and screening systems,
- Unified case plan for all service providers,

- An administrative structure that combines expertise from all the partners, and
- Common information systems that all partners can use.

Two communities have been selected to begin this change in how we involve and provide services to families. Spokane and Bellingham have been selected and approved as initial pilot sites to design and implement an integration model. The design work is in process in each community. Implementation is scheduled to begin in January, 2004. It is hoped that what is learned from these models can be transferred and used by other communities.

Partnerships

CA is partnering with the Casey Family Program and Families for Kids to implement system improvements that are included in the Foster Care Recruitment and Retention Plan.

CA is also working with other DSHS Administrations and a broadly based coalition to engage Washington families and communities in preventing child abuse and neglect. The coalition includes the Washington Department of Social and Health Services, Washington Council for Prevention of Child Abuse and Neglect (WCPCAN), Washington State CASA (Court Appointed Special Advocates) and Children's Hospital and Regional Medical Center. To make it easy for the public to report abuse or neglect of a child or a vulnerable adult, DSHS established a toll-free hotline: 1-866-ENDHARM (<http://www.dshs.wa.gov/geninfo/endharm.html>). Each April, which is Child Abuse and Neglect Prevention Month, this coalition conducts a concentrated media campaign (<http://www.dshs.wa.gov/geninfo/capmonth.html>) to raise public awareness of the importance of citizen engagement in reporting suspected abuse and neglect of children. During the month, the coalition published a new web site, Keeping Your Baby Safe (<http://www.dshs.wa.gov/geninfo/babysafe.html>) with tips for new parents, and new DSHS studies about keeping babies safe.

Keep Them Safe

In addition, CA and DSHS are partnering on a *Keep Them Safe* client education campaign to reduce the number of child deaths attributed to accidents. In calendar year 2000, the Washington infant death rate was 5.2 per thousand births. This is well below the national rate of 6.9 per thousand. A statewide review of data gathered and analyzed by the Washington Department of Health (DOH) showed that alert adults in the community might have been able to prevent nearly 60 percent of the unexpected childhood deaths in Washington. With the exception of Sudden Infant Death Syndrome (SIDS), the leading causes of unexpected deaths were vehicle accidents, firearms, drowning and fire. The *Keep Them Safe* team has reviewed scores of public-service brochures, posters, fact sheets, booklets, videos and websites to identify those that could prove especially helpful to the families we serve. The most appropriate resources are available on the Internet and a pilot in Vancouver is demonstrating the most efficient and effective way to distribute hard copies of the materials. Identifying easily available child safety resources is an important step in efforts to implement the *Kids Come First Action Agenda* to reduce child deaths throughout the state.

Contract Agreement with Mental Health Division – Regional Support Networks (RSN)

To improve access to mental health services for children served by CA, a coordination agreement with DSHS' Division of Mental Health, and their Regional Support Networks (RSNs) has been created. Under the terms of this agreement, the RSN's:

- Serve foster children and children in adoption support;
- Develop service delivery protocols for coordination and integration of services for children;
- Serve foster children even if their Medicaid card is from another county;
- Maintain continuity of care when changes in residential placements occur;
- Ensure that qualified professional personnel, including mental health specialists, are involved at critical treatment junctures;
- Ensure that children with multiple service needs, who meet the requirements for Early Periodic Screening Diagnosis and Treatment (EPSDT) receive services that comply with EPSDT Plan; and
- Ensure that Medicaid consumers can access services upon request, and are not placed on waiting lists.

III. Lessons Learned During the Statewide Assessment

Strengths

- CA is currently going through the process of accreditation with the Council on Accreditation (COA). As a part of this process, key stakeholders, both internal and external to the agency, are interviewed, and given the opportunity to complete anonymous surveys regarding their perceptions of the agency and the services it provides.
- The Child, Youth and Family Services Advisory Committee serves as the Citizen Review Board, and provides oversight and input to program and policy enhancements.
- CA is working in a new partnership with the Juvenile Rehabilitation Administration to better serve youth when they are released from juvenile rehabilitation institutions.
- DSHS is joining with families and children, and the communities in which they live, to provide a continuum of coordinated effective care through the Family and Children's Services Integration Initiative. Children's and Economic Services Administrations co-lead the initiative. Spokane (led by CA) and Bellingham (led by ESA) are the pilot sites. There will be an evaluation of processes and outcomes and the model will be replicable.
- Secretary Braddock is providing strong, consistent, and sustained leadership for service integration both within DSHS and with community organizations, and is raising awareness of the importance of collaboration at a time when resources are diminishing.

Challenges

- According to the CAPTA Citizen Review Panel Observations, as cited in the *Annual Progress and Services Report, June 2002*, there is a significant lack of cross systems coordination between CA and mental health, juvenile rehabilitation, substance abuse treatment, schools, disability services and medical services.

Promising Practices

As the “No Wrong Door” and activities to promote service integration mature, improved coordination and customer service should become available for client families participating in multiple service programs provided through DSHS.

The Family and Children’s Service Integration Initiative will move beyond coordination and collaboration to actual restructuring of services, programs, memberships, budget, missions, objectives and employees. Potential points of integration are co-location of services, policy integration and common intake, assessment and case planning. Through this model, more agency individuality and autonomy are surrendered and the result is a seamless system of care from prevention to post-intervention.

The Independent Living Program Manager provided training to the Runaway and Homeless Youth providers for the Region X States (Alaska, Idaho, Oregon and Washington) to demonstrate and discuss opportunities for collaboration between state and federally funded child welfare programs and federally funded community, youth programs.

CA has participated and provided input into the development of the Federal Executive Inter-agency Task Force on Youth. Membership includes The U.S. Department of Education, The Department of Housing and Urban Development, the Region X Administration for Children and Families, The National Park Service, the Department of Labor, and the Social Security Administration.

In addition, the Transitional Living Programs amendment to the Chafee Independent Living contract requires contractors to develop partnerships with private and public youth and young adult-serving agencies.

3. Does the agency have any agreements in place with other public or private agencies or contractors, such as juvenile justice or managed care agencies, to perform title IV-E or IV-B functions? If so, how are services provided under the agreements or contracts monitored for compliance with State plan requirements or other program requirements and accurate eligibility determinations made, where applicable?

I. Overview

CA contracts with private agencies to provide title IV-B services. These Child Placing Agency (CPA) contracts are negotiated with private profit and non-profit entities to provide case management services. Many Tribal organizations have contracts with the state to provide services under a Child Placing Agency contract. The Child Placing Agency Contract was revised during 2002 to enhance provisions related to title IV-B. In addition, for FFY 2003, five Tribes in the state of Washington have direct IV-B contract funding agreements with the federal government. These Tribes are: Colville, Lummi, Port Gamble S'Klallam, Makah, and Yakima.

During the 2001-2003 biennium, CA began the process of establishing title IV-E agreements with Tribes in Washington. Three Tribes have signed IV-E program agreements and funding contracts with the Washington State (Lummi, Makah, and Quinault). Title IV-E training of tribal staff is to occur in the third quarter of 2003, and title IV-E eligibility determination will be completed during this time for children under the three Tribes custody.

II. Program Description

Title IV-B

The federal title IV-B program provides allotments to support public child welfare.

Title IV-E program

The Tribal/Washington State IV-E program agreement and contracts allow the Tribes to access federal reimbursement for a portion of foster care cost, administrative and training expenditures.

III. Policy Information

The Tribal/Washington State IV-E program agreements and funding contracts specify that the state is ultimately responsible for the accuracy of the reimbursement claim submitted to the federal government for Tribal foster care maintenance, administrative, and training expenditures. Monitoring procedures have been developed to ensure that Tribes are able to meet program requirements.

IV. Initiatives

Tribal Child Placing Agency Contract

The Child Placing Agency contract was revised in 2001 to improve compliance under title IV-B. It appears that additional work may need to be done on the contract language and contract requirements concerning documentation for title IV-B and IV-E as the contract may be too general and/or vague. Tribal/State IV-E Program Agreement and Funding Contracts are being developed with Tribes to support and enhance Tribal child welfare programs.

V. Lessons Learned During the Statewide Assessment

Strengths

- CA does have agreements in place with other agencies to perform IV-E functions.
- CA is interested in developing additional Title IV-E Tribal/State program agreements and funding contracts with Tribes.
- The Tribal/State Title IV-E program agreements and contracts with Tribes in Washington State promotes collaboration that benefits all children and families receiving child welfare services.
- The Tribal/State Title IV-E program agreements and funding contracts with Tribes in Washington State supports and aids Tribes to enhance their child welfare services. This aligns with the efforts of the National Indian Child Welfare Association (NICWA) to support the Indian Child Welfare Act of 1978. The NICWA's goal is to promote safe, healthy, and spiritually strong homes for children that are free from abuse, neglect, sexual exploitation, and the damaging effects of substance abuse.

Challenges

- There is not a process in place to train Child Placing Agency contractors to the Title IV-B requirements. Social workers rely on the contract requirements and good faith of the private agency staff to meet the documentation requirements under Title IV-B.

Promising Practices

The Tribal/Washington State Title IV-E program agreements and funding contracts will provide additional resources to improve child welfare practices to enable tribes to meet the needs of tribal children and their families under the jurisdiction of tribal courts.

4. Citing any data available, discuss how effective the State has been in meeting State plan requirements for determining whether children are American Indian and ensuring compliance with the Indian Child Welfare Act (ICWA)

I. Overview

Washington State gives high priority to complying with ICWA and therefore strives to ensure that children are appropriately identified as American Indian. CA has policies, procedures, staff training, and specialists to ensure compliance with ICWA.

Washington is home to 29 federally recognized Tribes and seven non-federally acknowledged Tribes. In addition, members of out-of-state Tribes often live among the Tribes in the state and in urban areas. Several urban Indian organizations also represent the interests of Native Americans.

II. Policy Information

Washington has a Tribal/State Agreement that was signed in November 27, 1987 and approved by 20 Tribes. This agreement established a government-to-government Tribal/State partnership that recognizes the paramount sovereign interest of Tribes in decision-making involving the care, custody and control of Indian children. At the time of its signing, the Tribal/State Agreement established the strongest commitment in the U. S. to child welfare practices that are sensitive to Indian culture and respectful of Tribal sovereignty.

Following approval of the agreement, Tribal and state representatives created the *Division of Children and Family Services (DCFS) Indian Child Welfare Manual*. This manual was part of the plan to implement the provisions of the Tribal/State Agreement. It embodies ICW procedures and practices of the state and state-licensed agencies. Policies in the manual maximize the opportunity for Tribal participation in every phase of agency decision-making affecting Indian children. DCFS staff have been using this manual since 1990. Recently, committees of Tribal and state staff have worked on revising the manual and the associated Washington Administrative Code (WAC).

To improve the government-to-government relationship between the state and Tribes, the “Centennial Accord” was developed and signed during Washington’s 100th year of statehood. The federally recognized Tribes and the Governor signed this document on August 4, 1989. The Snoqualmie and Cowlitz Tribes signed the Centennial Accord in October, 2002.

To comply with the Accord, DSHS Administrative Policy 7.01 requires each DSHS Administration to develop biennial plans that describe how it will collaborate with and provide services to sovereign Tribes. These reports are submitted to the Director of Indian Policy & Support Services of DSHS. To ensure implementation of this policy and to foster exchange of information and resolution of issues with Indian Tribes and organizations, DSHS also maintains an Indian Policy Advisory Committee (IPAC). IPAC is composed of various American Indian leaders,

designated by their respective American Indian tribe or organization, and appointed by the Secretary of DSHS. The Director of Indian Policy and Support Services (IPSS) and various American Indian Liaisons of DSHS Administrations staff the committee. The Secretary of DSHS regularly meets with the committee and reviews its feedback and recommendations.

The regions in the state have quarterly 7.01 meetings with Tribes in their regions to monitor the progress and compliance with the 7.01 plan and ICWA. Plans are updated as needed by the Tribes and the Regional Administrator of each division. These meetings also provide a forum for the Tribes to gather information on programs or policies that affect them, to express their concerns and to resolve issues.

Tribal governments are also moving towards greater autonomy and self-sufficiency by establishing their own child welfare services. These services provide investigation of child abuse and neglect, foster care case management and placement, and other services previously provided by the state. CA provides flow-through funding for these Tribal child-serving agencies and is working to help Tribes build capacity to care for Indian children.

Identification of Native American Ancestry

During the referral intake process, policy requires that the referrer is asked if the family is of American Indian heritage or is an American Indian child. If the child is identified as American Indian, the DCFS social worker and the Child Placing Agency (CPA) social worker notifies the appropriate Tribal ICW worker and obtains Tribal input or coordinates services for the family. If the Indian heritage is questionable, a letter is sent to the Bureau of Indian Affairs (BIA) regarding determination as an Indian Child and notification is sent to all Tribes indicated as linked to the child. To ensure that the question has been asked, each family is requested to sign the Ethnic Identity Form (DSHS 09-761) which acknowledges that the child is of Indian blood, what degree, or whether the child is of another ethnic heritage.

In April 2003, the Central Case Review Team conducted a review of Central Intake to review practice surrounding intake. The review team reviewed 293 referrals, using CAMIS. Out of the referrals reviewed, 229 (or 78%) did *not* have documentation that efforts were made to discover the family members' Native American status. The requirements surrounding the level of documentation during intake has significantly increased. During each intake the worker is required to ask the referrer the following five questions:

1. *Is this a child of American Indian, Alaskan Native, or Canadian First Nation ancestry?*
2. *Is there a Tribe, Band, or Native American organization, which considers this child to be a member?*
3. *Is this child currently or in the past been a ward of any Tribal Court?*
4. *Is the residence or domicile of the child or parent/custodian known to be a predominantly Indian community or within the bounds of a Reservation?*
5. *Is there anyone else we can contact for further information regarding the child's Native Ancestry?*

These five questions were developed in conjunction with IPAC.

Local Indian Child Welfare Advisory Committees (LICWAC)

All Indian children, including Canadian and unenrolled Indian children, are staffed by the Local Indian Child Welfare Advisory Committees (LICWAC), except if the child's tribe(s) has intervened or does not want the child to be staffed at LICWAC, per Washington Administrative Code (WAC) 388-70-600 and ICW Manual chapter 10.02. LICWAC is unique to Washington State and carries out a broad array of important activities, from case-specific consultation to service plan development. LICWAC ensures protection of the Indian identity of Indian children, their rights as Indian children, and the maximum utilization of available resources for Indian children. CA social workers serve as LICWAC staffing coordinators for children. Members of LICWAC are American Indian, Canadian Indian, or Native Alaskan who are familiar with the special needs of Indian children residing within the DCFS service area. Members of the LICWAC choose the chairs of the LICWAC.

III. Program Description

DSHS Indian Policy and Support Services (IPSS) staff serve all DSHS Administrations in each of the six regions. The IPSS promotes communication between DSHS programs and all Indian people, while recognizing the unique government-to-government relationship between the state and tribes. The Director of IPSS sits on the DSHS Management Team and is able to bring up any issues that may arise.

CA has an ICW Program Manager located in the CA headquarters. The ICW Program Manager serves as a bridge between all the Tribes in the state and CA staff. The ICW Program Manager ensures the opportunity for involvement and consultation of tribal governments, landless Tribes, off-reservation American Indian organizations, and American Indian participants.

Training

In order to ensure compliance with the ICWA, there are several stages of training offered and provided to social work staff regarding Indian Child Welfare. The training requirements are as follows:

Training Academy ICW Course

CA's Training Academy provides a required training to all new social workers, which focuses on the purpose of the Indian Child Welfare Act. The training is part of the overall initial social work training, and is two hours in length.

Two Day Basics of ICW Course

Following the initial Training Academy, all social work staff are required to attend a two-day training on the Basics of ICW, which includes information on the details of the Indian Child Welfare Act, and how to use the Indian Child Welfare Manual. Staff must take this training within one year from the date they are hired.

One Day On-Line Follow-up Course

This training opportunity utilizes online resources, and focuses on the practical application of the Indian Child Welfare Manual.

Two Day Cross Cultural Skills Training

All staff carrying ICW cases are required to take an additional two day training. CA usually contracts with the Tribes, or a Tribal organization, to conduct the training. The National Indian Child Welfare Association (NICWA) will provide the training in 2003-2005. The training covers child welfare practices that are sensitive to Indian culture and respectful of Tribal sovereignty, and focuses on the cross cultural aspects of the Indian Child Welfare Act.

Tribal Certification

CA is in the process of developing a contract with the National Indian Child Welfare Association (NICWA) to develop a program of Tribal certification for CA social workers. In order to become certified, social workers need to have met the following criteria:

- 2,000 hours of supervised paid experience in the field within the past two years;
- 120 credits, or a bachelors degree from an accredited institution;
- Successfully pass the NICWA on-line ICWA course;
- Demonstrate and document recognized participation in the social and cultural processes of the Tribal community.; and
- Receive three letters of endorsement. (One letter must be from the Tribal program administrator, and two from the community elders and/or service providers and/or sponsors).

Financial Support for the Tribes

CA provided \$2.5 million in state funding to 29 federally recognized Tribes and five Tribal urban organizations in Fiscal Year (FY) 2001. This represented a slight increase from FY 2000. The funding supports Tribes and organizations in carrying out ICW programs, and capacity-building in their Tribes. In addition, Independent living Skills (ILS) contracts have been awarded to 14 Tribes in FY 2001-2002. In FY 2002-2003, 23 Tribes are expected to receive a total of \$167,000 ILS dollars. This funding will be used in a variety of activities to prepare youth for emancipation after they turn 18. Although State ICW funding has been reduced, it will continue in FY 2003-2005.

Per an agreement between the state and the tribes, CA pays for maintenance and costs of Indian children in foster care whether they are in care with CA or with tribal child placement agencies.

Indian Policy Advisory Committee

The DSHS Indian Policy Advisory Committee (IPAC), which guides the implementation of the Centennial Accord and Administrative Policy 7.01, has a subcommittee focusing on Indian Child Welfare Issues. This ensures that concerns are communicated to CA and that suggested changes are incorporated into practice.

IV. Initiatives

Indian “Gatherings”

CA provided \$64,000 for a two day statewide “Gathering”. The gathering was held on the Yakama Indian Reservation and included Tribes, Tribal organizations, foster parents, private agencies, judicial and legal personnel, state staff and Indian children receiving services at home and in out-of-home placements. The purpose of the event was to honor Indian families and caretakers of Indian children and to provide a venue for Indian traditions such as: traditional healing, Potlatch, sweat lodges, youth activities, drumming, meals with traditional foods (donated by the Tribes), and to recruit more Indian foster homes and other cultural resources to serve Indian families.

There have been other smaller “Gatherings” in Regions III, IV and V. In Region VI, the Quileute Tribe hosted a “Family Healing Gathering” with CA funding on May 19-20, 2003 on the Olympic Peninsula. These gatherings are used to honor foster parents taking care of Indian children and to provide connections to Indian culture.

Alaska Northwest Native Partnership

Casey Family Programs in Seattle, the Central Council Tlingit & Haida Indian Tribes of Alaska and the State of Alaska have formed the “Alaska Northwest Native Partnership.” One strategy of this partnership is to develop and prioritize positive outcomes for Tlingit and Haida children in Washington State.

Indian Nations Consolidation Project

CA is participating with the other divisions of DSHS in consolidating Tribal contracts into one agreement. The CA covered contracts are: Indian Child Welfare, Independent Living Services and Health Passport, starting on July 1, 2003. The Consolidation Project would eliminate paperwork from seven divisions and reduce time in negotiation. The Port Gamble S’Klallam Tribe is currently piloting this project. The Confederated Tribes of the Colville Reservation will be the second pilot tribe.

Tribal Licensing

Another initiative underway is building the capacity for the Tribes to license their own foster homes. The state Tribes are seeking national Indian licensing standards to be used on reservations. This has the potential to overcome some barriers on licensing policies, and thus increase the number of homes to serve Indian children.

IV-E Services

The Makah and Lummi tribes have signed contracts for Title IV-E money for their reservations. The Quinault Nation and possibly another Tribe on the east side of the state are considering this option. This money provides access to additional funds for staff and children for needs such as training. Also this enables the tribes to receive a portion of federal reimbursement that the state receives for maintaining a child.

V. Lessons Learned During the Statewide Assessment

Initial Consultation with Tribes

The initial process for consulting with Tribes on the CFSR and Statewide Assessment, while it had limited participation, revealed several very strong issues. These issues are as follows:

- In some cases, when families have been asked if a child has Native heritage, the family did not have the answer. Thus, at that point in time, documentation showed that the child was not Indian. However, there have been times when a child is legally free and ready to be placed in an adoptive home, and new information develops or a new relative surfaces divulging that the child has Indian heritage. This indicates that workers need to ask the Indian heritage question at different stages of the case planning.
- The Tribes and the state have worked diligently to recruit and license Indian foster homes; however, the need continues to exceed the number of licensed homes.
- Each Tribe in Washington receives a monthly computerized list of the Indian families receiving services from DCFS. However, feedback from Tribes indicates all Indian children receiving services are not included on the list. It appears that in some cases, social workers may fail to enter or incorrectly enter the information into the computer system.

Currently, CAMIS tracks American Indians by code via Tribal affiliation, which is entered by the social worker. When the client is determined to be a member of a Tribe (including Alaskan and Canadian tribes) a code is entered into CAMIS identifying that Indian person as being a member of that Tribe or possibly eligible for enrollment. Currently, there are approximately 1,200 children identified as American Indian being served through the department's foster care system. While the majority of these children are from Washington, many are identified as enrolled or possibly eligible for enrollment in Tribes located in other states. Data regarding the number of children under the legal responsibility of the Tribes in the state has been difficult to obtain. Over the past two years, the ICW manager has worked closely with Tribes to improve the reporting and processing of this information. The ICW Program Manager has created a database that tracks services and number of children and families being served by Tribes.

- Although CA currently has a case record review process for CA programs, there is not a process specifically developed to monitor DCFS and Private Agency ICW cases statewide. The case record reviews assess compliance requirements for the identification of Native American ancestry, and whether Tribes were notified or contacted. Tribal representatives have expressed an interest in having a system developed for the specific monitoring of the compliance in ICW cases, in consultation with the Tribes and Indian Organizations.

As one important component of CA's Quality Improvement model, the CA has a process for case record review. Case reviews are a proactive process of reviewing, assessing and improving services to children and families through quarterly reviews of a random sample of open and closed case files. The key purpose of the case review program is to assist CA staff to deliver the highest standard of services possible to children and families.

- In addition to concerns about the well-being of Indian children with ties to federally recognized Tribes within Washington State, Tribal representatives expressed specific concerns about the following three groups of Indian children:
 1. Indian children from federally recognized tribes outside of Washington,
 2. Indian children of non-federally acknowledged Tribes (whether in Washington or other states), and
 3. Canadian First Nations and Metis Indian children.

Federally recognized Tribes outside of Washington face jurisdictional, logistical and financial challenges. These Tribes may not always have the resources to attempt to intervene in child welfare cases. Non-federally acknowledged Tribes, whether within or outside Washington, may not have the structure, resources, or legal standing to intervene on behalf of children involved with the DCFS and court systems.

Washington borders Canada, and there is a significant number of Canadian First Nations and Metis Indian children served through DCFS. These children are protected, to a degree, by the Tribal/State Indian Child Welfare Agreement of 1987 and the DSHS ICW Manual. However, the Indian children of non-federally acknowledged Tribes and Indian children from the Canadian First Nations and Metis Indian children do not have the protection of the Indian Child Welfare Act of 1978.

Due to the structural concerns described above, these three groups of Indian children may be particularly vulnerable to "fast-track" adoptions. Federal laws, including the Multi-Ethnic Placement Act (MEPA), Inter-Ethnic Placement Act (IEPA) and Adoption and Safe Families Act (ASFA), do not provide protection for these children from being adopted by non-Indian families, resulting in a potential loss of tribal connections, cultural ties and rights.

Special Consultation

Recognizing the need for additional information from the Tribes, CA worked with the Small Tribes of Western Washington (STOWW), and NICWA to jointly facilitate two Tribal/State meetings. The meetings focused on providing Tribal representatives with more information about the CFSR and the critical importance of Tribal participation in the review. The meetings were held on July 24th and 25th, 2003. One meeting was held in Auburn (on the Western half of the state) and one in Ellensburg (on the Eastern half of the state), to allow easier access for participants. Representatives from Tribes, Tribal organizations, and urban Indian organizations attended the meeting, with 18 agencies and Tribes represented. From this process, a report was written by NICWA. In order to ensure that all of the information presented by the Tribes is included in the statewide assessment, the entire report is added to this section of the report as it was written by NICWA staff.

Discussion and Comments on the Federal Child and Family Services Review Process

Proceedings

July 24, 2003
Auburn, Washington

And
July 25, 2003
Ellensburg, Washington

Report Submitted by
National Indian Child Welfare Association

Overview of the Tribal/State Forums

The Washington State Department of Social and Health Services (DSHS) Children's Administration is currently engaged in the Child and Family Services Review (CFSR) process with the Health and Human Services (HHS) Children's Bureau. This federal review process examines state compliance with federal child welfare requirements and outcomes associated with children in state care. The self-assessment is the first step in the review process and is an opportunity for the state, key stakeholders, tribes, and tribal organizations to prepare for and conduct an effective review process. Tribal participation in the review process is critical in determining the effectiveness of the state's child welfare services to Indian children and families. It is also critical in assessing the ability of the state to work with tribes and tribal organizations to monitor and improve state compliance with the Indian Child Welfare Act (ICWA), in identifying plans to improve service delivery, and in improving the process of tribal consultation. The Children's Administration, in an effort to obtain information from tribes and tribal organizations for their CFSR self-assessment, convened two earlier meetings that resulted in minimal tribal participation. Consequently, Washington decided to request technical assistance from the National Indian Child Welfare Association (NICWA) to obtain more substantial information and tribal involvement for their self-assessment process.

NICWA agreed to convene and facilitate between the tribes, tribal organizations, urban Indian organizations, and the Children's Administration and to produce a summary report with the comments and recommendations received.

NICWA received a separate but related request for technical assistance from the Small Tribes of Western Washington through the National Resource Center on Information Technology and Child Welfare (NRC-ITCW). The request was to provide training for tribes, tribal organizations, urban Indian programs, Local Indian Child Welfare Advisory Committee (LICWAC) representatives, and DSHS Indian Child Welfare Specialists in Washington to learn about tribal participation in the CFSR process.

By combining the resources and identified needs of these two requests, it became possible for NICWA to conduct two tribal/state forums for tribal representatives to learn about the CFSR process and the importance of tribal participation in this review and to have an opportunity to make comments for inclusion in Washington's CFSR self-assessment. A committee comprised of NICWA staff, NRC-ITCW staff, a Child Welfare League of America (CWLA) consultant familiar with Washington tribal/state history, the tribal technical assistance requestor, and the Washington CFSR project manager developed the forum agenda and facilitated the forums.

Invitation letters were faxed to both the tribal chair and the Indian child welfare or social services director for all 29 federally recognized tribes, five non-federally-recognized tribes, and five urban Indian organizations in Washington. LICWAC representatives and other active Indian child welfare advocates known to the tribal technical assistance requestor and NICWA board members residing in Washington were also invited. To help build attendance for this important event and to reduce barriers to attendance, NICWA staff made phone calls to all tribal Indian child welfare directors and advocates.

The first forum was convened in Auburn on July 24, 2003, at the Muckleshoot Casino providing access to tribal organizations in the western portion of the state, and a second forum

was convened in Ellensburg on July 25, 2003, at the Ellensburg Inn providing access for tribal organizations in the eastern portion of the state. Forum participants were provided with the complete CFSR self-assessment questionnaire and informed that comments could be made on any self-assessment, but five focus questions were developed to guide the discussion. The questions focused on issues in tribal/state consultation, the effectiveness of the state in meeting its state plan requirements for identifying Indian children and families and for complying with ICWA, and the state's effectiveness in training and licensing foster and adoptive parents.

Considerations in the Development of the Report

The report is structured so that comments and recommendations from both forums have been combined under each discussed question. Themes that came forth as a result of each question are summarized after a list of comments and recommendations is provided. This allows for a more concise, clear report without losing the diversity of comments and perspectives.

The importance of tribal review of this document was discussed at both forums. Unfortunately, the time frame for NICWA to submit a written record of the proceedings to Washington did not allow for tribal review prior to submission of the report. It was agreed that the report would be sent to the state and that reports will be distributed to all participants as well as to all other invitees. The state representatives also agreed that they would develop a process for participants to review this document and submit comments after the conclusion of the forums. This process will be outlined in a cover letter that will accompany this document when it is distributed to the tribal, tribal organization, and urban Indian organization representatives.

Participants

Representatives from the following tribes, tribal organizations, urban Indian organizations, and state agencies were represented at one or both of the two forums:

American Indian Community Center
Confederated Tribes of Colville
Makah Indian Tribe
Muckleshoot Indian Tribe
Nooksack Indian Tribe of Washington
Skokomish Indian Tribe
Sauk-Suiattle Indian Tribe
Small Tribes Organization of Western Washington (Chinook, Cowlitz, Duwamish, Snohomish, and Steilacoom Tribes)
South Puget Intertribal Planning Agency
Spokane Tribe of Indians
Yakama Nation
United Indians of All Tribes Foundation
LICWAC Regions I, III, IV, V, VI
State of Washington DCFS, Regions I, II, III, IV, V, and VI

Tribal Comments and Recommendations for Washington CFSR Self-Assessment

Question One: What works with the consultation process and what are some of the barriers that states could address? Why would people not actively participate in a tribal consultation process?

Barriers Identified:

- Too much mail that comes in. Maybe use a smaller group as a clearinghouse or disseminator of information that's more important than other information.
- Giving short notice and a short response time.
- Sometimes, tribes need to bring back the information to the tribal council before they can make a recommendation, so the short notice is a big barrier. Tribal representatives need a chance to discuss information with their tribal leaders. There needs to be sufficient time between consultation and deadlines, so they have time to talk to the leaders.
- Sometimes, the tribe thinks that the letters coming out don't pertain to them.
- Too much jargon in the letters. Hides the point of the letter.
- There is some confusion about what types of input the state is asking for. The state needs to make sure that it defines that clearly, and then it's up to the tribes to ensure participation.
- The tribes and the state appear to have different definitions of consultation, and that causes misunderstandings.
- There are not enough resources to get to meetings.
- Not everyone is familiar or comfortable with the larger cities. It can be difficult to find meeting places or to have the desire to attend.
- Sometimes, information about meetings doesn't get to the right people in the organization.
- Some of us are wearing three or four different hats, and it's the time commitment that is problematic. It's not the state's fault; it's just a reality.
- So many decisions are made for the small tribes. It's like the money stops at the mountain. The state doesn't think tribes are important.
- The state has to follow through because it's a trust issue.
- Personal contact means a lot. It feels more comfortable to go to meetings when you know people you are meeting.
- As Indian people, we've always had to come to the dominant culture, and the dominant culture never comes to us.
- If your state representative doesn't ever show up, then there's something odd about that. It sends a message that the state doesn't value the meetings with the tribes.
- We revamped the Indian child welfare manual and we worked on it for years. We got it completed, and we went through chapter by chapter. We were all happy about it, and I'm still waiting for it to be finalized. Depending on who I talk to, there are different reasons why it hasn't been finalized. I heard it was based on a lack of decision-making regarding the multi-ethnic placement act, then I heard it was based on a lack of decision making about identifying an Indian child. There have been different laws passed since we made that revision. You talk about not feeling important, and it still isn't out. So, why did we do it?

Suggested Remedies:

- Alternate the meeting locations.
- Open and expand consultative session to tribes not present via telephone, email, etc., for further tribal recommendations.
- Be more aware of schedule conflicts and the tribal calendar of events.
- Contact all tribes in the state, urban Indian organizations, and LICWACs.
- Contact the Indian Policy and Advisory Committee (IPAC), who have the information of who the information should go to.
- Make sure the mail gets to the right people.
- Letters should go to the tribal chair; the director of social services; if the tribe is big enough to have one; and the social worker. There should be three to four letters going to each tribe and addressed to these individual people.
- In my experience, phone calls mean a lot more than a letter.
- Using the regional administrators to disseminate the information would help. I'll take that more seriously than something that comes directly from your headquarters in Olympia.
- Make sure that some type of communication comes back to the tribes telling them what happened as a result of the meeting in order to let the tribes know that the state heard what was said and what they did with it.
- Not all of us have email or like to use it but if we all had a computer or a laptop that we could open up at a certain time during the week and talk, it could be good.
- With LICWAC, we rotate our meetings between the different tribes so that tribes can have a fair chance to be involved and have representation.
- With letters, the first paragraph has got to have catchy words that tell you this is an ICWA meeting and that it's about jurisdiction.

Summary

Tribal representatives indicated that a lack of trust and goodwill has developed between the state and tribal entities and is currently affecting the consultation process. Many representatives reflected on a history of providing consultation to the state and working on joint projects but indicated a belief that their work and contributions had not been valued and respected.

Tribal representatives suggested that trust is restored when respect is shown for the people asked to participate. The following items were commented on to highlight ways respect could be demonstrated:

- Being aware of tribal events in planning a meeting.
- Giving adequate notice- defined as adequate time to decide who will represent the tribe as well as the opportunity to consult with tribal councils as needed.
- Sending formal notice, such as letters, should be sent to the tribal chair, director of social services or Indian child welfare, and tribal social workers.
- Using IPAC as a resource for this formal notice process.
- Utilizing informal notice, which is equally important and includes phone calls from regional contacts or other people familiar to the tribes who can answer questions and concerns.
- Holding meetings at rotating locations so travel expenses and time are shared equally by the group.

- Holding meetings at tribal locations as well as at public facilities.
- Equally acknowledging the work loads of both tribal and state workers
- Clearly defining the purposes of each meeting and establishing clear expectations
- Meeting conveners follow through on projects and report back to the representatives.

Tribal representatives would then feel that their contributions were respected, that they were serving as resources to the state, and that they represented the needs of their people.

Question Two: Imagine a year from now a consultation process and meeting. What would it look like to be a meaningful process and how would you know that it was a good consultation? How would you know that it was meaningful and there was a mutually respectful relationship?

- The decision makers from the tribal, state, and federal government would be there. Have the people who can change the policy and do something about our input present at the table.
- The decisions that were made at the consultation meeting would be implemented.
- Once the decisions were implemented, they would to be measured. Someone talked about 100% review of identified ICWA cases, but I feel 100% review of all open cases in each office is important.
- All parties present would have clear expectations about the meeting and the group would stick to the agenda. We need to be focusing on Indian child welfare.
- I think this consultation would be part of an ongoing process in which building a relationship is important. The strongest relationship I've seen was co-training at tribal sites, staffing, going to the tribes, and having talking circles before you have your cases. These happened at tribal locations. I recruited and licensed tribal homes at each site. If a person from the state goes into the community, you will find a person who wants to be a caretaker of the children. The co-meetings, the working together between the tribal Indian child welfare staff and the state Indian child welfare staff is important. There's a good goal of permanency for the child and lower turnovers in care, so we can start with working together in Indian child welfare.
- I enjoy it when state representatives come down to visit us and give us notice that they'll be there. We then get to sit right down and eat next to them. Seeing these people coming right to the tribal office.
- I think a year from now the respect would be shown by you folks to say, "remember that list we came up with on the issues? Here's what we've done to address those."
- What I personally would like to see is follow-up meetings on this meeting, so we could monitor what's happening. It's not someone else monitoring for us. We could do the monitoring of what issues are identified here.
- What if the state is doing the best they can, but we don't know that. By having more meetings, we'd know they're working as hard as they can. It cuts down on rumors because we'd know whether or not the state is trying to fulfill its promises.
- We need a tribal steering committee to support the state ICWA specialist liaison position, and here's a good group to start from.
- Some of us would prefer that the state ICWA specialist liaison report directly to the assistant secretary for the DSHS Children's Administration. Then, if we have the steering committee we'd have that person report directly to them.

Summary

A good consultation process was described as follows:

- Regular on-going meeting would be held. These meetings would have clear expectations and a clear agenda.
- Both the tribal and state representatives attending the meetings would have the authority to make decisions for the people or organizations they represent.
- Decisions made at these meetings would be implemented, monitored, and evaluated for effectiveness.
- Representatives attending the meeting would be accountable to the group for following up on their progress.
- Relationships would be built as people worked together, and trust and respect could be built.

The group also identified the need for a permanent liaison position, currently the ICWA specialist liaison, to coordinate activities between consultations and to disseminate information to both tribal and state representatives. Recognition was given to the idea that tribes need to provide active support to the person in this position. Representatives suggested this liaison position should report to the assistant secretary of the DSHS Children's Administration.

Question Three: How effective is the state in meeting state plan requirements for determining whether children are American Indian and ensuring compliance with the Indian Child Welfare Act of 1978 (ICWA)? What's working really well as far as ICWA goes?

- I think that we're not doing very well. My experience is that workers are resistant to it. It's not because they don't want to comply, but it's because they have such large caseloads. It's also because some of the tribes are much smaller, so the caseworkers get easily frustrated when they don't get a response.
- Since the Indian child welfare manual in Washington State was developed, it has been 12 years, and the state is still doing a poor job on identification.
- Every family should sign an identity request form. Every family that we work with needs to sign that. At least if we have that form, the assistant attorney general will not do a termination if the ICWA question isn't answered. It's like a two-page checklist for each worker. They will continue the trial without that being done, but the second time that they ask for a continuance, the administrator has to sign off, and by the third time, identification has become a pretty big deal.
- The identification of Indian children was not being done consistently throughout the state, so they came up with four questions that would help with this. As I understand it, the problem lies with not enough training for the people who are doing intake, so now they're going back to regionalizing these intake people. While the provisions on identification may be in the manual, they haven't been applied consistently.
- My understanding is that over the last number of years, DCFS has been using 701 documents, which some of us said was better than nothing, but 701 isn't really ICWA compliance.
- There are people who have come into state Indian child welfare jobs who still don't know about ICWA.
- State caseworkers need to have an understanding of why it's important to identify our chil-

dren as Native. This is a battle, and this needs to be coming to the table. When we send listings to the state to ask them to change the child to being identified as Native, the states say they don't have time to do this.

- One of the things that I really appreciate about Washington State is how liberal our Washington administrative codes are considering Canadian and state recognized children as Indian children. I think having those types of codes here is really helpful for the Indian population.
- We keep talking about the need to share information and to come together, and it's way overdue.
- The good thing is that we're doing a lot of training to Court Appointed Special Advocate (CASA)'s, but they still don't understand the connection between their work and ICWA compliance.
- What happens is when we do get into court, the judge sides with the CASA.
- What I have noticed in our office is that the state of Washington, compared to other states, has much better standards. There are some worthwhile things going on in Washington State.
- I wish there was somebody who gets assigned to work on that process of incorporating traditional healers. That was a great achievement when it was agreed to by the state, but I don't know if it's being used or not.
- Who audits the state's files? Who checks audits that these kids really are in Native American homes?
- Another thing that happens is that with the initial assessment, the parent may say that the child is not Indian to begin with, and then, later down the road, they find out the child is Native and tell the state that, but it's never put into the CAMIS system.
- It all comes down to training issues. We have a lot of workers who don't know about court requirements.
- We should coordinate a statewide meeting of all LICWAC liaisons, LICWAC members, and appropriate DCFS staff and tribal representatives to review the status of the LICWAC system
- The LICWACs from across the state should get together and talk about issues that span across the board; also tribal liaisons should get together for the same reason.
- I would like to propose that the states and the tribes work together to set up a process to review ICWA compliance.
- They need to take a look at the differences between the urban and rural populations.

Summary

Tribal representatives expressed appreciation that the codes in the State of Washington recognize more Indian children as eligible for ICWA protections and acknowledged that their experiences within the state are often better than their experiences with other states. However, significant concern was expressed that identification of Indian children continues to be a problem and that Tribes continue to experience resistance in their efforts to advocate for ICWA compliance. The representatives identified a need for child protective workers, CASA, and judges to have more knowledge about ICWA, an awareness of the human consequences of not complying with ICWA on Indian children, families, and tribes, and better skills for engaging with Indian families and communities. Comments indicated concern that there is no way to monitor that Indian children are actually being placed in Indian foster homes.

Tribal representatives clearly advocated for developing a system of monitoring cases for ICWA

compliance. Suggestions included modeling a review system on the CFSR process with both state and tribal reviewers. Other suggestions included a review of the LICWAC system and the need for more consultation and review between tribal representatives and state workers to ways to obtain ICWA compliance.

Question Four: How effective is the state in meeting the requirement to consult and coordinate with external community stakeholders in the development of the state's CFSP? How are the concerns of the stakeholders addressed in the agency's planning, operations, and their involvement in evaluating and reporting progress on the agency's goals?

- How would we know what they're doing if we don't have the IV-B documents?
- Was the IV-B plan that was submitted in June approved by tribes in the state Washington?
- How can we get a copy of the state's IV-B plan' and how can we see the ICWA piece?
- What must be kept in mind is that when the state comes into this room, there are two tribes here, so the state writes down that it has consulted with tribes, and that's not true. I think that should be watched out for. Say the state consults with five tribes on the west side and doesn't even bother coming over on the east side. When we talk about consulting with tribes we better find out which tribes, are consulted. Issues are different between the east and west sides (rural versus urban). We have different needs, values, beliefs, and resources. Any summary that's made should name which tribes were involved.
- Ongoing federal/state/tribal equal partner CFSR-type follow-up meetings and forums should be held throughout the year.
- A statewide steering committee including work groups of federal, state, and Indian representatives should be established to help keep this effort organized, ongoing, and results/progress oriented, rather than disorganized and inconsistent as is the current situation.
- An annual special report to Region X, the DSHS Secretary & Assistant Secretary for Children's Administration should be submitted by the above steering committee."
- All tribes and Indian organizations should have equal access to participate in interview and selection committees for example, the DCFS ICW program manager interview and selection committee for DCFS employees whose duties involve serving all Indian tribes and Indian organizations.
- There should be three Indian representatives, rather than just one on the DSHS Children's Administration's Statewide Advisory Committee: one committee person for the federally recognized tribes, one committee person for the non-federally recognized tribes, and one for the off-reservation Indian populations.

Summary

Tribal representatives clearly identified that they were not familiar with the state's Title IV-B plan and requested information on how to obtain a copy of the state's current plan. They clearly identified a concern that tribes, tribal organizations, and urban Indian organizations are not being adequately consulted in developing this plan since they do not know what the plan says or how to obtain a copy.

Significant concern was expressed about the need for a clear understanding between the tribes, tribal organizations, urban Indian organizations and the state of Washington about what characterizes consultation. Representatives identified that within their cultural context consultation

would mean that every tribe, tribal organization, and urban Indian organization would be at the table. Representatives requested that the state give full consideration to their sovereign nation status, recognizing that each tribe speaks only for itself and never for other tribes. Additional comments addressed the diversity of thinking that exists within a tribe, and the need for adequate time in the consultation process to develop a tribal position that represents its unified best interests.

Question Five: How effective is the state's training of current and prospective foster care and adoptive families and the staff of state-licensed or approved child care institutions that care for children in the state's care or responsibility that addresses the skills and knowledge-base needed to carry out their duties?

- One thing that really stands in the way of licensing Indian families is that Indian families don't feel that they see themselves in the trainings when they go to the trainings. It's important to have a pool of Indians statewide who do foster parent trainings.
- What I see happening is that effective September, they changed from 18 hours of training to 30-hours of training, and we're going to lose foster parents because of that. Would any of you give up four of your own consecutive weekends for that?
- Tribes need to figure out a way to license these families through their own licensing standards, and families should still receive foster care payments from the state.
- Do I understand correctly that if a dispute occurs between the state and tribal licensor, if you want to go the next step, you have to go through the state attorney general to license?
- We have our own foster care licensor. Indian foster families have a step of going through the tribe and then it's the other step of going through the state. The tribes are doing the footwork for the state, and it's the tribe's time and the tribe's money, but the tribal licensor's name and signature is not good enough for them.
- We had situations a few years ago where the state licensor would question why there were so many vehicles around the home, and hey, that's the Indian way. They have those cars because they use those parts. It's poverty.
- It is not effective to require foster parent applicants to attend 18 hours of pre-service training, and then the foster parent gets a license and six months later, they get a child protection services calendar. It is very confusing.
- Why can't they sign up for training at the nearest junior college where every month a person is up there to provide that class? If you miss it that month, then you can sign up the next month and then proceed with the application period.
- It's important to also have more dates and more locations for the trainings.
- It is confusing having a different regional director for foster home licensing than for other child welfare matters. It's hard to build good working relationships with more people, especially when they change all the time.
- Person-to-person training is important.
- Training every foster parent who comes into the system to be a good foster parent for Indian children has been a waste of time.
- Long ago, there were commitments to train these parents, but this has not happened. The data shows that there are still lots of Indian children in non-Indian homes, yet very little is being done to make these homes better for Indian children.
- The Foster Parents Association of Washington State (FPAWS) has excellent training, which some Native foster parents have enjoyed, but there are limited numbers of openings and fund-

ing to support this training for native foster parents.

- The Yakama Nation has supported having foster parents salaried instead of just getting a maintenance payment.
- Some tribes don't believe in adoption or termination of parental rights. Instead, they usually do guardianship.
- Sometimes, the states request a psychiatric evaluation. Who decides that they're going to have it, and what are the criteria?
- The state could benefit from adding more cultural input into the foster care licensing presentations and the trainings and maybe do some more interactive role-playing instead of just standing up there and giving a class, so it's more culturally friendly.
- Some parents were told if they didn't go to the trainings, they wouldn't get paid. We recruit lots of Native families. It's getting them trained that's the problem. Maybe we need to look at not going through the state for licensing like the Seminoles do in Florida.
- In the past, there were very serious problems in getting private agencies to comply with ICWA. Now, it seems that these agencies are choosing to not work with Indian children as much, but who is monitoring these agencies and the work they do with Indian children?
- We contact agencies when we know we have Indian children placed in their homes, and then, we go out and do presentations on our tribal code and ICWA because they don't ever get that kind of education. It seems like if more of us could do that; our children would have a better chance in learning about their culture.
- Finding agencies that are culturally relevant to your tribe or to Indian people is a really effective way for tribes to ensure that the culture part is being addressed. When we license, we go over ICWA as well as cultural information with the parents extensively. I think those kind of partnerships are really effective for tribes who don't do their own licensing.

Summary

Tribal representatives clearly identified concerns that there are not enough Indian foster and adoptive homes available and that consequently, Indian children continue to be placed in non-Indian homes. Comments indicated a general belief that many Indian families are interested in becoming foster parents and that recruitment is not highly problematic. However, comments indicated that getting Indian families licensed is very difficult. Suggestions for increasing the number of licensed Indian foster and adoptive homes included the following: more accessible and more frequent training opportunities, a process where training and the application/home study process co-occur, Indian foster parent trainers and training materials, and state licensors who are more knowledgeable about Indian culture and norms. It was noted that FPAWS provides trainings that many Indian families enjoy, but that scholarships are needed to make this training accessible to them.

Another issue identified involved a two-tiered licensing system for Indian foster families, since families first pass through the tribal licensing program and then through the state system. Concerns were expressed that this process places an additional burden on Indian families and is not a good use of the human resources involved in this licensing process. Questions were raised about the possibility of using tribal standards to license Indian homes without losing foster care payments.

Other

Two concerns about prevention services were identified:

- Sometimes supportive services are stopped to people who are on the line. We see cases of Indian clients who still need help and their cases are being closed, and they shouldn't be.
- I guess what I'm concerned about is reoccurrence. We see Indian families that are on the line that are more or less being dumped by everybody, and nobody's providing them services.

Reporting out of tribal caucus

At the meeting in Auburn on July 24th, tribal representatives requested an opportunity to meet as a tribal caucus to discuss common concerns they could present to the state. The following document is the result of this meeting:

We realize that the state people who are here cannot necessarily make decisions about our recommendations but can bring this information back to the people they report out to by telling them that these are the issues coming from tribal representatives. Tribes would also like a response back from the state on how these issues are going to be addressed.

Tribes represented are Muckleshoot, Nooksak, Skokomish, Makah, Sauk/Suiattle, Small Tribes Organization of Western Washington, United Indians, LICWAC representatives from Regions III, IV, V, and VI.

RECOMMENDATIONS FROM TRIBES:

- Each tribe wants to have representation on the review team, but they also realize that it's something to be negotiated.
- We want tribal input on the Program Improvement Plan (PIP) process. We want to be at the table from the very beginning, not just at the tail end of it before it's due. This is the same problem they're seeing today because we know that the state has been preparing for this review for three years and could have involved the tribes in the process much earlier. Each tribe will submit a name of a person who can be involved in the process.
- There is concern about making sure Native children are represented in the review process, and they are trying to guarantee that tribal Indian children are reviewed. Native children are over-represented in the system, and, therefore, need to be represented in the review.
- Tribes need full access to CAMIS so that if they do come up for review, the state knows that the child belongs to a specific tribe (for purposes of data collection too).
- Implement revised Indian child welfare manual/forms to ensure state compliance in general and for the purposes of the CFSR.
- Tribes need to review a draft document of the PIP before it is submitted to the feds.
- Stakeholder versus tribes needs to be clarified. We're not stakeholders. We're in a government-to-government relationship with the state. Change policy language to reflect the sovereign government-to-government relationship between the state and tribes and the federal government and tribes. Tribal governments are more than stakeholders.
- How can we make the communication process smoother? The tribes recommend that NICWA play a key part in communication by serving as an active liaison or point organiza

tion. This will help things move along better.

- Using the regional administrators for support is important as well; going to regional administrators would be a lot more beneficial in communications.
- Decision and policy makers need to be involved in future meetings.
- The tribes present at the meeting want to put these recommendations in writing and to get them to the state. It is recommended that tribes here have their letters in to the state by the end of next week, so they are included in the draft.

In addition to the strengths and challenges identified in the report from NICWA, the following are additional strengths and reflective of CA's practice in this area:

Strengths

- CA provides training on the Indian Child Welfare Act to all social workers. All staff carrying ICW cases are required to take a two day "Cross Cultural Skills" training.
- Per an agreement between the state and the tribes, CA pays for maintenance and costs of Indian children in foster care whether they are in state-licensed homes or tribal child placement agency homes certified by the state.
- CA has consulted with IPAC and Tribes in the state to establish protocols for making contact with Tribes when CA has accepted a referral. Each Tribe has been asked to provide CA with a list of protocols and contact information to facilitate timely contacts with Tribes.
- Some regions have committed .5 FTE to the early identification of Indian children. This position was established approximately three years ago, and has proven to be effective. It has been suggested that this practice be duplicated in each region.
- CA has several offices that have Native American units.

Promising Practice

As CA moves forward with Accreditation, more offices will begin using the peer case record review model for quality assurance. This will allow CA to gather information on compliance of the identification of Native American ancestry for all families involved in the system.